



26 OCT 2006

Gary M. Nath  
Nath & Associates, PLLC  
112 South West Street  
Alexandria, VA 22314

|   |   |                     |
|---|---|---------------------|
| In re Application of                      | : |                     |
| COHEN                                     | : | DECISION ON RENEWED |
| Serial No.: 10/564,357                    | : |                     |
| PCT No.: PCT/IL04/00584                   | : | PETITION UNDER      |
| Int. Filing Date: 01 July 2004            | : |                     |
| Priority Date: 15 July 2003               | : | 37 CFR 1.47(b)      |
| Atty Docket No.: 26886U                   | : |                     |
| For: ROTARY SPRINKLER WITH REDUCED WEAR : | : |                     |

This decision is in response to applicant's renewed petition under 37 CFR 1.47(b) filed 16 August 2006 in the United States Patent and Trademark Office (USPTO).

### **BACKGROUND**

On 16 June 2006, applicant was mailed a decision dismissing applicant's renewed petition under 37 CFR 1.47(b) to accept the application without the signature of inventor Boaz Cohen. Applicant was afforded two months to file a renewed petition.

On 16 August 2006, applicant filed the renewed petition under 37 CFR 1.47(b) discussed herein.

### **DISCUSSION**

As detailed in the decision mailed 16 June 2006, a petition under 37 CFR 1.47(b) must be accompanied by: (1) the requisite petition fee under 37 CFR 1.17(g); (2) factual proof that the inventor refuses to execute the application or cannot be reached after diligent effort; (3) a statement of the last known address of the non-signing inventor; (4) an oath or declaration executed by the 37 CFR 1.47(b) applicant on behalf of and as an agent for the non-signing inventor; (5) proof of proprietary interest in the application; and, (6) a showing that such action is necessary to preserve the rights of the parties or to prevent irreparable damages. Applicant previously satisfied items (1)-(3) and (5)-(6).

Applicant has presently provided a compliant declaration executed by Koby Millo on behalf of the non-signing inventor and the corporate assignee. The declaration details the relationship of the signing individual to the non-signing inventor and therefore satisfies the provisions of 37 CFR 1.497 (a)-(b). As such, it is proper to grant applicant's renewed petition at this time.

**CONCLUSION**

For the reasons discussed above, applicant's renewed petition under 37 CFR 1.47(b) is **GRANTED**.

The application has an international filing date of 01 July 2004 under 35 U.S.C. 363, and will be given a date of **16 August 2006** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

As provided in 37 CFR 1.47(c), a notice of the filing of this application will be forwarded to the non-signing inventors at their last known addresses of record. A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the DO/EO/US for processing in accordance with this decision.

A handwritten signature in black ink, appearing to read 'D. A. Putonen', is positioned above the typed name and title.

Derek A. Putonen  
Attorney Advisor  
Office of PCT Legal Administration  
Tel: (571) 272-3294  
Fax: (571) 273-0459